

GLM:ashalk 07/18/05 380176.doc E-272-992  
PATENTAttorney Reference Number 4239-62295-01  
Application Number 10/088,269**Remarks:**

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1-5, 7-40 and 64-68 are pending in the application. Claims 15-40 have been withdrawn. No claims have been allowed. Claims 1, 64, and 68 are independent.

***Cited Art***

U.S. Patent No. 5,817,462 to Garini et al. ("Garini") is entitled "method for simultaneous detection of multiple fluorophores for in situ hybridization and multicolor chromosome painting and banding." U.S. Patent No. 5,784,162 to Cabib et al. ("Cabib") is entitled "Spectral bio-imaging methods for biological research, medical diagnostics and therapy."

***Interview Summary***

Applicants thank the Examiner for his time during an interview on July 12, 2005. During the interview, Applicants discussed claim 1 and Garini. Agreement was reached regarding various issues. However, the Examiner indicated that an updated search or additional consideration of Garini would be done.

***Election/Restrictions***

The Action found that claims 15-40 were drawn to a nonelected species and, therefore, withdrew them from further consideration. Applicants believe, as is discussed below, that claim 1 is allowable in its present form.

The Office Action of January 4, 2005 identified claims 1-14 as generic. Because generic claim 1 is allowable, and claims 15-40 depend upon claim 1, claims 15-40 are also allowable. Therefore, Applicants respectfully request that the Examiner withdraw the species and subspecies election requirements on claims 15-40, and continue to consider those claims for allowance.